

**Iowa's
Special Education Advisory Panel**

By-Laws and Operating Procedures

**(Approved December 13, 1995)
(Revised March 6, 1998)
(Revised February 2, 2000)
(Revised June 14, 2001)
(Revised April 22, 2004)**

**Iowa Department of Education
2004**

Introduction

The purpose of this manual is to provide information and resources that clarify the role of the Iowa Special Education Advisory Panel (SEAP) in the education of Iowa youth. Its membership is composed of individuals involved in, or concerned with, the education of children with disabilities.

The SEAP shall have, and will perform, functions and duties as specified by law. Responsibilities include offering advice, consultation, and recommendations to the Iowa Department of Education regarding matters concerning special education services.

The role of the panel members is to advise, not advocate, for an individual position. Advise means to inform, counsel, recommend, suggest or guide. To advocate means to plead for your case or position, to favor an individual case or argument. The advisory panel is to provide advice, based on facts and good judgment.

The Iowa SEAP is a collaborative resource that envisions its role as an advocate for all children with special needs and their families on issues of special education in Iowa. As such, it is committed to representing individuals with diverse and changing educational needs. Similarly, this manual is viewed in a state of continual development, attempting to provide supportive resources that meet the needs of the SEP membership.

Questions concerning the Special Education Advisory Panel and the Panel's operation should be directed to the Bureau of Children, Family and Community Services, Steve Maurer, Panel Facilitator: (515) 281-3576, Fax (515) 242-6019, or steve.maurer@ed.state.ia.us or

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Belief Statements

The Iowa Special Education Advisory Panel believes that:

A. All Children—

- Must be viewed as children and treated as individuals, not as categories or groups;
- Must receive services and opportunities that challenge them to learn, grow, and develop to their fullest extent.

B. Quality special education in Iowa should—

- Be a shared responsibility involving the collaborative efforts of school, community, students, and their families;
- Be provided in an appropriate environment;
- Be child-centered, results-oriented, and specifically designed for the individual;
- Address need when they arise;
- Be supported by qualified, competent, caring staff; and adequate, equitable resources;
- Ensure that attainment of real skills.

Mission Statement

The Iowa Special Education Advisory Panel serves as a collaborative resource to advise on issues of best practice and special education compliance on behalf of all children with special needs and their families. This Panel provides opportunity for dialogue among diverse stakeholders regarding philosophies and policies that will result in successful outcomes for persons with disabilities (2004).

Vision Statement (2000)

All Children are members of communities that provide opportunities and needed supports for meaningful lives and quality education experience.

By-Laws and Operating Procedures

Article I

Name

Section 1. The name of the organization shall be the Iowa Special Education Advisory Panel (herein referred to as the Panel).

Authority

Section 2. The Panel exists by authority of the Individuals with Disabilities Education Act (IDEA) and as amended.

Article II

Purpose

Section 1. The purpose of the Panel is to advise the Iowa Department of Education with the provision of free and appropriate public education for children with disabilities.

Functions

Section 2. The functions of the Panel are to:

- (a) Advise the state educational agency of unmet needs within the State in the education of children with disabilities;
- (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- (c) Advise the State educational agency in development evaluations and reporting on data to the Secretary under section 618;
- (d) Advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of this Act;
- (e) Advise the State educational agency in developing and implementing policies relating to the coordination of service for children with disabilities; and
- (f) Advise the State educational agency on eligible students with disabilities in adult prisons.

Authority: 20 U.S.C. 141(a)21(D))

Article III

Membership

Section 1. The membership of the Panel shall consist of representatives from public and private sectors who by virtue of their position, interest, and training can contribute to the education of children with disabilities. There shall be at least 20, but no more than 32 members. A majority (51%) of the members of the Panel must be individuals with disabilities or parents of children with disabilities.

(a) Membership required by IDEA (34CFR§300.651)

- Parents of children with disabilities;
- Individuals with disabilities;
- Teachers;
- Representatives of institutions of higher education that prepare special education and related services personnel;
- State and local education officials;
- Administrators of programs for children with disabilities;
- Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- Representatives of private schools and public charter schools;
- At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- Representatives from the State juvenile and adult correction agencies.

(b) Others desired but not required

- Teacher certified in special education;
- Teacher certified in general education;
- Parent of a child in general education;
- Parent advocacy groups;
- Professional education organizations;
- Department of Public Health;
- Department of Human Services;
- Division of Vocational Rehabilitation;
- Board of Regents Office;
- AEA administrator;
- Urban Network representative;
- AEA director of special education

Appointments and Selection

- Section 2. Members of the Panel shall be appointed by the Director of the Iowa Department of Education (IAC256.9#14). The Director shall ensure that the membership of the Panel is reasonably representative of the State population (34 CFR§300.651). Applications for membership are accepted by the Bureau of Children, Family and Community Services. A Nomination Committee, appointed by the Chairperson, will seek nominations to the Panel.

Term of Membership

- Section 3. Term of membership shall be for three years, except those appointments made to fill an unexpired term. Appointments shall be staggered terms of office to ensure that new appointments do not exceed approximately one third of the membership. Members shall not be appointed for more than two consecutive terms. The Executive Committee where appropriate can appoint a member to serve for more than two terms. The membership appointment will commence July 1 of the first year and end June 30 of the third year. Each new member must attend a September orientation prior to becoming an actual member.

Termination

- Section 4. Failure to attend two Panel meetings in a year shall result in a contact and review by the state educational agency for possible recommendation for termination.

Designees

- Section 5. Members unable to attend a Panel meeting may appoint a designee to represent them at official Panel meetings. Attendance by the designee shall not constitute attendance under Article III, Section 4. Designees may exercise the rights and privileges of the member represented. If expense of designees are to be reimbursed, the Panel Facilitator must be notified prior to the meeting.

Nondiscrimination Statement

- Section 6. It is the policy of the Iowa Department of Education not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age, or marital status in its programs or employment practices. If you have questions or grievances related to this policy please contact Jeanette McGreevy, Chief, Bureau of Administration and School Improvement Services, Grimes State Office Building, Des Moines, IA 50319, (515) 281-4750.

Article IV

Meetings

- Section 1. The time and place of regular meetings shall be determined annually by the Executive Committee in conjunction with the Iowa Department of Education. The annual schedule of regular meetings shall include at least six meetings each year, with the June meeting serving as the Annual Planning meeting. Meetings shall be held in accordance with the official meetings open to Public Law, IAC, Chapter 21.
- Section 2. Members of the Panel shall be notified by first class mail or electronic mail of the time and place of regular meetings at least ten (10) days prior to the time of the meeting.
- Section 3. Minutes of each meeting shall be sent to the Panel by first class mail or electronic mail within two weeks of the meeting. All documents distributed at each meeting will be sent to each absent member by mail or electronic mail within two weeks of the meeting. Minutes shall be made available to the public upon request.
- Section 4. Any item that requires action by the Panel should be submitted to the Chairperson at least two weeks prior to the scheduled meeting.

Article V

Officers, Terms and Duties

- Section 1. The Officers shall be elected by a majority of the members present at the Annual Planning meeting in June.
- Section 2. The term of office for elected officers shall be one (1) year commencing on July 1.
- Section 3. The officers shall form an executive committee, which will be composed of the following individuals:
1. Chairperson
 2. Vice chairperson
 3. Chief of the Bureau of Children, Family and Community Services
- Section 4. Powers and duties of the Chairperson:
- a. To serve as the presiding officer of the Panel;
 - b. To plan and organize meetings;
 - c. To call regular meetings of the Panel;

- d. To appoint sub-committees and their chairpersons within the Panel and call meetings of the sub-committees;
- e. To prepare and submit the annual report;
- f. To formally represent the Panel to the Director of the Iowa Department of Education;
- g. To appoint a Nomination Committee to assist in filling vacancies on the Panel.

Section 5. Powers and duties of the Vice Chairperson:
The Vice-Chairperson shall assume the role of Chairperson in the absence, disability, or resignation of the Chair person. The Vice-Chairperson shall be elected by a majority of members present at the Annual Planning meeting in June. July 1 the Vice-Chairperson shall assume office for one year and then shall assume the position of Chair person the following year. Should a vacancy occur, the Vice-Chairperson shall assume the role of Chairperson. A new Vice-Chairperson shall be elected by a majority of members present to complete the remaining term of office.

Section 6. The State Panel Facilitator (a non-voting member) will collaborate with the Executive Committee to ensure that the following occurs:

- 1. Assist in organizing panel meetings;
- 2. Complete and disseminate a summary of proceedings from each meeting;
- 3. Notify members of meeting time and location;
- 4. Conduct follow up activities, including disseminating minutes to all members.
- 5. To assist in development of an Annual Report for the Panel to approve;
- 6. Assist in communicating Panel advice and decisions to the Iowa Department of Education leadership.
- 7. Other duties as assigned.

Article VI

Sub-Committees

Section 1. The Chairperson of the Panel shall appoint sub-committees and their chairperson within the Panel as necessary.

Section 2. The Chairperson of the sub-committees shall call individual meetings of their sub-committee.

Section 3. The Iowa Department of Education shall provide resources to the committees or work groups as stipulated in the approved Part B Application and Budget.

Section 4. Sub-committee Chairperson shall have the authority as needed to invite individuals outside the Panel to serve in a resource capacity to assist the sub-committee in achieving its task.

Section 5. All sub-committees shall report their findings to the full Panel.

Article VII

Panel Procedures

Section 1. Advisory Panel meetings shall be open to the public and publicized in advance of the meeting.

Section 2. Advisory Panel meetings shall be conducted in facilities that are accessible to those with disabilities.

Section 3. Reasonable accommodations shall be made for all members and guests.

Section 4. The Advisory Panel will serve without compensation, but the State will reimburse Panel members for reasonable and necessary expenses for attending meeting and performing duties.

Section 5. A quorum shall be constituted by a simple majority of the membership.

Section 6. In the absence of the chairperson, the Vice-Chairperson will preside at the meeting.

Section 7. Persons or organizations wanting to address the Panel shall be placed on the agenda by making a request to a Panel member prior to a scheduled meeting. Individuals shall also have the opportunity to comment during the public comment portion of each meeting.

Section 8. The Advisory Panel shall conduct at least six meetings each year. The Annual Planning meeting shall be held in June. The new member orientation meeting shall be held in September.

Section 9. The Panel shall attempt to reach consensus on all business items. Voting shall be decided by a simple majority vote by members present. The Chairperson shall break any tie vote. Dissenting opinions shall be accepted and noted in the minutes.

Section 10. Items not specified by law, rules, or by-laws shall be governed by Robert's Rules of Order.

- Section 11. By-Laws shall be amended by a two-thirds (2/3) majority vote of members present and voting. Proposed changes to the by-laws shall be submitted in writing to the Chairperson a minimum of thirty (30) days prior to the vote.
- Section 12. No member of the Panel shall cast a vote on any matter that would provide direct financial benefit to that member, their family, representative organization or otherwise give the appearance of a conflict of interest.
- Section 13. By June 30 of each year, the Advisory Panel shall submit an Annual Report of Panel activities and recommendations to the Iowa Department of Education. This report shall be available to the public in a manner consistent with public reporting requirements.